

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:12-CV-795-FL

ANTHONY CORNELIUS REAVES)
Plaintiff,)
v.) ORDER
LEON E. PANETTA, Secretary of Defense,)
et al.,)
Defendants.)

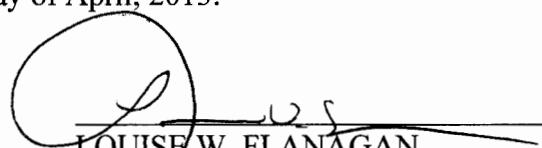
This matter comes now before the court upon the defendants' second motion for time extension, filed April 12, 2013, to which plaintiff objected in responsive filing made April 16, 2013, which response followed on the heels of plaintiff's motion for default judgment, filed April 15, 2013.

Having considered the issues raised, in its discretion, the court allows the motion for time extension, good cause having been shown for a modest time extension, and where response to complaint in the form of a motion to dismiss timely was made April 15, 2013, the court denies plaintiff's motion for default judgment.

Reference is made to the Rule 12 letter issued to plaintiff by the clerk April 15, 2013. Plaintiff was reminded of a filing deadline of May 9, 2013. Should plaintiff require more time to make his response, request for reasonable time extension made prior to the expiration of that deadline would be responded to favorably by this court. Absent such a request and ruling, upon receipt of plaintiff's response on or before May 9, 2013, defendants would, if deemed necessary, have a chance to make a final reply in furtherance of their motion, as permitted by the Local Civil Rules of this district. Thereafter, with briefing final, the court would take up and decide the motion and during that period places a stay in effect to permit full focus on the issues raised in support of

and in opposition to the motion to dismiss. Upon its decision on the motion, should issue(s) remain for trial, the court would lift the stay and put in place then a pre-trial schedule guiding the parties in discovery efforts, and putting in effect certain case deadlines, including one for the filing of any dispositive motions, among other case events.

SO ORDERED, this the 17th day of April, 2013.



LOUISE W. FLANAGAN
United States District Judge